

HOUSE BILL 1385

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By: **Delegate Rudolph**

Introduced and read first time: February 23, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Youth Camps – Fees and Inspections – Exemptions**

3 FOR the purpose of prohibiting the Secretary of Health and Mental Hygiene from
4 imposing a fee for the purpose of inspecting, monitoring, and regulating certain
5 youth camps; requiring a certain camp to make a certain certification to the
6 Department of Health and Mental Hygiene on or before a certain date each year
7 regarding compliance of certain programs and activities conducted by the youth
8 camp with certain laws and regulations; exempting a youth camp from
9 inspection by the Department if the youth camp completes a certain
10 self-inspection report; authorizing the Department to impose a certain civil fine
11 on a youth camp under certain circumstances; and generally relating to youth
12 camp fees and inspections.

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 14-403
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2011 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Health – General**

21 14-403.

22 (a) (1) In addition to the powers set forth elsewhere in this article and
23 subject to the provisions of Title 10 of the State Government Article, on or before
24 October 1, 1987, the Secretary shall adopt regulations for certifying youth camps and
25 for issuing letters of compliance.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) An applicant for a certificate shall submit an application to
2 the Department on the form that the Secretary requires.

3 (ii) An application for a certificate or for a letter of compliance
4 shall include:

5 1. The name and permanent mailing address of the
6 applicant;

7 2. The proposed location of the youth camp; and

8 3. Any other information and fee that the Department
9 requires.

10 (iii) For a unit or agency subject to the provisions of this subtitle,
11 the Secretary shall require the unit or agency to complete only one application for
12 certification for all youth camps directed or operated by that unit or agency.

13 (3) (i) The Department shall be solely responsible for
14 implementing and enforcing the provisions of this subtitle.

15 (ii) Except as provided in subparagraph (iii) of this paragraph
16 **AND SUBSECTION (E) OF THIS SECTION**, the Secretary may impose a fee for the
17 purpose of inspecting, monitoring, and regulating youth camps in accordance with §
18 2–104 of this article.

19 (iii) A camp accredited or certified in accordance with the
20 provisions of subsection (b)(9) of this section may not be charged a fee under the
21 provisions of this article.

22 (4) (i) The operator of a youth camp directed or operated by a bona
23 fide religious organization shall:

24 1. Submit an application for certification;

25 2. Submit an application for a letter of compliance and
26 have the youth camp inspected by the Department; or

27 3. Submit an application for a letter of compliance and
28 proof of an alternative form of accreditation acceptable to the Secretary under
29 subsection (b)(9) of this section.

30 (ii) When a youth camp is operating under subparagraph (i) of
31 this paragraph, and an inspection reveals health or safety violations of the regulations
32 adopted under this subtitle, the Secretary may issue an order to abate the violation or
33 to cease operation.

1 (b) With due consideration for conditions existing in nature and for the
2 importance of outdoor adventure experiences, the regulations shall include:

3 (1) Safety procedures for:

4 (i) Aquatic programs;

5 (ii) Horseback riding;

6 (iii) Firearms control;

7 (iv) Riflery;

8 (v) Archery;

9 (vi) Adventure camps;

10 (vii) Artistic gymnastics;

11 (viii) Hang gliding;

12 (ix) Road cycling;

13 (x) Skiing;

14 (xi) Rock climbing;

15 (xii) Spelunking;

16 (xiii) Motorized vehicle activities;

17 (xiv) Rappelling; or

18 (xv) High ropes;

19 (2) Except for outdoor cookouts, sanitation regulations pertaining to
20 the facilities and personnel for the storage, preparation, and serving of food products;

21 (3) Personal health, first aid, and medical services, health supervision,
22 and the maintenance of health records for campers;

23 (4) Water supplies, sewage disposal systems, and refuse collection and
24 disposal procedures;

25 (5) Fire and safety standards relating to the buildings and the
26 occupants of buildings;

1 (6) Systems for the routine reporting of fatalities and serious illnesses
2 or accidents;

3 (7) Any personnel screening procedures that are required for operators
4 and employees of group day care centers;

5 (8) Procedures for conducting inspection, monitoring compliance, and
6 verifying information;

7 (9) Alternate accreditation which has been approved by the Secretary;
8 and

9 (10) Minimum standards for the supervision of campers during routine
10 activities.

11 (c) The Secretary may not adopt regulations that set ratios for camper to
12 medical staff personnel except for:

13 (1) Camp health supervisors at a camp where 50% or more of the
14 campers have identified medical problems;

15 (2) Personnel required to meet emergency safety standards, for
16 example the number of persons that require certification in cardiopulmonary
17 resuscitation (CPR) and first aid; and

18 (3) Camp health supervisors, or their designees, trained to administer
19 medicine to campers.

20 (d) The Secretary shall cooperate with other departments or agencies to
21 facilitate the activities of the departments or agencies in carrying out responsibilities
22 for enforcing the laws and regulations relating to youth camps.

23 **(E) (1) THE SECRETARY MAY NOT IMPOSE A FEE FOR THE PURPOSE**
24 **OF INSPECTING, MONITORING, AND REGULATING A YOUTH CAMP THAT IS:**

25 **(I) ACCREDITED BY THE AMERICAN CAMPING**
26 **ASSOCIATION OR THE BOY SCOUTS OF AMERICA;**

27 **(II) ASSOCIATED WITH A NATIONAL ORGANIZATION; OR**

28 **(III) CONDUCTED AT A PUBLIC OR PRIVATE INSTITUTION OF**
29 **HIGHER EDUCATION IN THE STATE.**

30 **(2) A YOUTH CAMP DESCRIBED IN PARAGRAPH (1) OF THIS**
31 **SUBSECTION SHALL CERTIFY IN WRITING TO THE DEPARTMENT ON OR BEFORE**
32 **APRIL 1 OF EACH YEAR THAT ALL OF THE PROGRAMS AND ACTIVITIES**

1 CONDUCTED BY THE YOUTH CAMP COMPLY WITH APPLICABLE STATE HEALTH
2 AND SAFETY LAWS AND REGULATIONS.

3 (F) (1) A YOUTH CAMP THAT COMPLETES A YOUTH CAMP
4 SELF-INSPECTION REPORT APPROVED BY THE DEPARTMENT IS EXEMPT FROM
5 INSPECTION BY THE DEPARTMENT.

6 (2) THE DEPARTMENT MAY IMPOSE A CIVIL FINE OF \$1,000 ON A
7 YOUTH CAMP THAT INCLUDES A FALSE STATEMENT IN A YOUTH CAMP
8 SELF-INSPECTION REPORT.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2012.